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Remarks

In this amendment, Applicants have amended claims 47, 57 and 63 to clarify the subject matter regarded as the invention. Accordingly, claims 47-51, 53, 54, 56-58, 60, 62-64, 66, and 68 remain pending. Applicants respectfully request that the Examiner reconsider the application in light of the amendments and the remarks expressed herein.

Re-submit Specification and Drawings

Applicants have made a number of amendments to the originally filed specification, and have added a few drawings. To assist prosecution, Applicants have re-submitted with this response the specification with all its amendments and the added drawings, but without claims and abstract, as one unit.

Submission of Form 1449

Through e-filing, on August 16th, Applicants submitted two Information Disclosure Transmittals, and on August 17th, Applicants submitted another one, with their corresponding references. Applicants submitted three Transmittals in view of the number of references and the size of some of the references in an Information Disclosure Transmittal. However, during the submissions, Applicants inadvertently neglected to include the corresponding Form 1449. Applicants have attached the missing Form 1449 with this amendment. If the Patent Office prefers Applicants to re-submit the Information Disclosure Transmittals and references again, please let Applicants know. Otherwise, it is respectfully requested that the Examiner return a copy of the initialed version of the Form PTO-1449 for Applicants' records.

Entering of previously submitted amendments

On page 1, the Office Action indicated that the Office Action was to respond to Applicants' amendment filed on April 27, 2010. Then on paragraph 2, the Office Action indicated entering amendment to drawings filed August 19, 2010. However, the Office Action has not provided indication as to whether the claim amendments accompanying Applicants' submission on August 19, 2010 have been entered. In this response, Applicants assume that the accompanying amendments submitted on August 19, have been entered.

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Paragraph [0017.07] Not Supported

The Office Action, in paragraph 5, objected to "amended paragraph [0017.07]" for adding new matter not part of the original disclosure. However, the specification does not include such a paragraph. Applicants request clarification.

Entire February 17, 2009 Amendment Allegedly Not Supported

In paragraph 8, the Office Action objected to the entire amendment filed on February 17, 2009 for allegedly introducing new embodiments not supported by the specification.

Applicants are perplexed by this allegation because a prior office action from the Patent Office dated August 19, 2009, has already entered and responded to Applicants' amendment filed on February 17, 2009.

Also, it is not clear which part of the amendment was alleged to be new matter.

In this response, Applicants assume that the Office Action was alleging the added Fig. 8 and the added paragraphs [0017.01] to [0017.06] as new matter. If that's the case, Applicants respectfully disagree.

This application is a continuation of U.S. Pat. No. 6,688,888, issued on February 10, 2004, which is a continuation of U.S. Pat. No. 6,139,330, issued on October 31, 2000, which is a continuation-in-part application of U.S. Pat. No. 5,779,486, entitled, "Methods and apparatus to assess and enhance a student's understanding in a subject," (hereinafter the '486 patent) which has been incorporated by reference into the present application.

Fig. 8 cannot be new matter because it is the same as Fig. 6 of the '486 patent. As to paragraphs [0017.01] to [0017.06], they are from line 37, col. 8 to line 32 of col. 9 of the '486 patent. Thus they also cannot be new matter.

Accordingly, Applicants respectfully request that the new-matter objection regarding the entire amendment filed on February 17, 2009 be reconsidered and withdrawn.

Entire April 27, 2010 Amendment Allegedly Not Supported

In paragraph 9, the Office Action objected to the entire amendment filed on April 27, 2010 for allegedly introducing new embodiments not supported by the specification. Again, it is not clear which part of the amendment was alleged to be new matter.

In the response, Applicants assume that the Office Action was considering the added

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Figure 9 and the added paragraphs [0064.01] to [0064.12] as new matter. If that's the case, Applicants respectfully disagree.

Figure 9 Being accepted and objected in the Office Action

In paragraphs 7 and 9, the Office Action objected to Fig. 9, filed on April 27, 2010, for allegedly adding new matter not previously supported. However, on page 1, the Office Action indicated acceptance of drawings filed on May 10, 2010. This acceptance was again repeated in paragraph 7 of the Office Action.

Applicants' submission on May 10, 2010 incorporated by reference Applicants' remarks filed on April 27, 2010. Hence the drawing submitted on May 10, 2010 is the same drawing submitted on April 27, 2010. Applicants request clarification as to whether Fig. 9 is accepted or objected to.

Fig. 9 Allegedly Not Supported

In paragraph 9, the Office Action objected to Applicants' Fig. 9 and asserted "computer architecture not described in the specifications as originally filed." Referring to Fig. 9, Applicants assume that the computer architecture allegedly not supported is the term "computer including storage." Applicants respectfully disagree.

The following citations provide examples of support in the specification for the terms computer, storage and computer including storage:

- The present invention relates generally to learning and more particularly to using a computer to enhance learning. (Paragraph 8)
- In one embodiment, the score generator accesses the user's latest test result and his prior-to-the-latest test results from a storage medium to generate an overall score for each set of questions related to the same line-item. In one embodiment, the prior-to-the-latest test results are test results from the test immediately before the latest test. In another embodiment, each overall score reflects the user's degree of forgetfulness as a function of time for that group of questions. Based on the calculated overall scores, the score generator updates information in the storage medium to include the latest test results. (Paragraph 14)
- In one embodiment, the invented method and system help a user focus on study materials by restricting him from freely enjoying entertainment materials on the

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computer. With such an invention, the user is not distracted by entertainment materials on the computer when he should be working on the study materials. (Paragraph 40)

- Figure 1 shows one embodiment of the invention including a super-recommendation generator 100 for implementing a computer-aided learning method to help a student or a user learn a subject. The generator 100 in general is for enhancing the learning experience of the user, and can be implemented in software, firmware, hardware or some combination of the above. (Paragraph 49)
- In one embodiment, a system implements an embodiment of the present invention preferably in software and hardware. The system includes a server computer and a number of client computers. Each client computer communicates to the server computer through a dedicated communication link, or a computer network. (Paragraph 64.01)
- The client computer typically includes a bus connecting a number of components, such as a processing unit, a main memory, an I/O controller, a peripheral controller, a graphics adapter and a network interface adapter. The I/O controller is connected to components, such as a harddisk drive. The peripheral controller is connected to components, such as a keyboard. The graphics adapter is connected to a monitor; and the network interface adapter is connected to the network. The network includes the internet, an intranet, the world wide web and other forms of networks. Different components of the present invention can be in different elements. (Paragraph 64.02)

In view of the above examples, Applicants submit that the terms computer, storage and computer including storage are supported in the specification. Accordingly, Applicants respectfully request that the drawing objection be reconsidered and withdrawn.

Paragraphs [0064.01] to [0064.12] Allegedly Not Supported

This application is a continuation of U.S. Pat. No. 6,688,888, issued on February 10, 2004, which is a continuation of U.S. Pat. No. 6,139,330, issued on October 31, 2000, which is a continuation-in-part application of U.S. Pat. No. 5,863,208, entitled, "Learning system and method based on review," (hereinafter the '208 patent) which has been incorporated by reference into the present application.

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Regarding paragraphs [0064.01] to [0064.12], support for these paragraphs may be found, for example, in the '208 patent, as shown in the following:

	<u>'208 patent</u>
[0064.01] to [0064.02]	Col. 5, lines 31-51;
[0064.03]	Col. 7, lines 12-14;
[0064.04]	Col. 7, lines 31-36; and
[0064.05] to [0064.12]	Col. 9, line 10 to col. 10, line 20.

Thus no new matter has been introduced.

Accordingly, Applicants respectfully request that the new-matter objection regarding the entire amendment filed on April 27, 2010 be reconsidered and withdrawn.

112 Rejection

In its paragraph 11, the Office Action rejected claims 47, 57 and 63 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action alleged that the limitation "resolving the conflict by generating another rule" in claims 47, 57 and 63, was not supported by the specification. Applicants respectfully disagree.

For example, Applicants specifically teach in its paragraph 17.06 resolving a conflict by a new rule. Accordingly, Applicants respectfully request that the 112 rejection be reconsidered and withdrawn.

102 Rejection

In its paragraphs 13 and 14, the Office Action rejected claims 47-51, 53, 54, 56-58, 60, 62-64, 66 and 68 under 35 U.S.C. 102(e) as being anticipated by Siefert (US 5,904,485). Applicants respectfully disagree.

In general terms, Siefert pertains to teaching a student in a style that fits the student. As stated in its Abstract, Siefert has an Intelligent Administrator (IA) that helps determine what to present to the student. After the presentation, the IA assesses whether the student has mastered the material. If not, the material is presented in a different way. If repeated different presentations fail to instill mastery, the IA establishes a video conference between

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the student and a professor.

The Office Action alleged that Siefert must have used rules by citing its col. 12:59-13:17 and col. 15:52-16:20. Col. 12:59 to 13:17, pertain to assessing a student to determine the student's preferred learning style. Then Siefert adopts Gagne's approaches of learning, which "are useful for design purposes in that they describe capabilities which apply across all subject matter areas." Col. 15:52-16:20, pertain to a teaching approach for a student with below average score. In general, Siefert will ask the student a question and provide a menu for the student to choose from. From the response, Siefert will adjust the curriculum, or connect the student with a teacher for a live teleconference. Then, Siefert will provide another menu for the student, and the process is repeated. After all this, if the student's score is still below average, Siefert recommends connecting the student with a teacher for a conference.

Irrespective of whether Siefert has used rules, the above citations in Siefert has not taught or suggested (a) allowing a user to access materials related to a subject to be presented; (b) retrieving at least two rules from a group of rules, with at least one of the rules being about the subject, to help determine which additional materials to present to the user; and (c) determining based on the at least two rules, the additional materials to present to the user, after the materials accessed by the user at (a) have been presented to the user, as in Applicants' claims 47, 57 and 63.

The Office Action further alleged that in Siefert's col. 7:28-8:62, "the CLS [Continuous Learning System] includes many rules some of which hierarchical in terms of sequence of lessons, but may be overridden by other rules according to the students profile (standing) or nature of the lessons, the system is self adjusted to the specific student." Based on such allegations, the Office Action asserted that Siefert teaches determining additional materials to present including (a) determining whether the at least two rules have a conflict in view of an assessment of the user, (b) if there is a conflict, resolving the conflict by generating another rule to help determine the additional materials to present to the user in spite of the at least two rules having a conflict in view of an assessment of the user, and (c) the at least two rules having a conflict in view of an assessment when a consequence of at least one of the at least two rules differs from the assessment. Applicants respectfully disagree.

Even if the Office Action is correct that in its col. 7:28-8:62, Siefert's CLS teaches

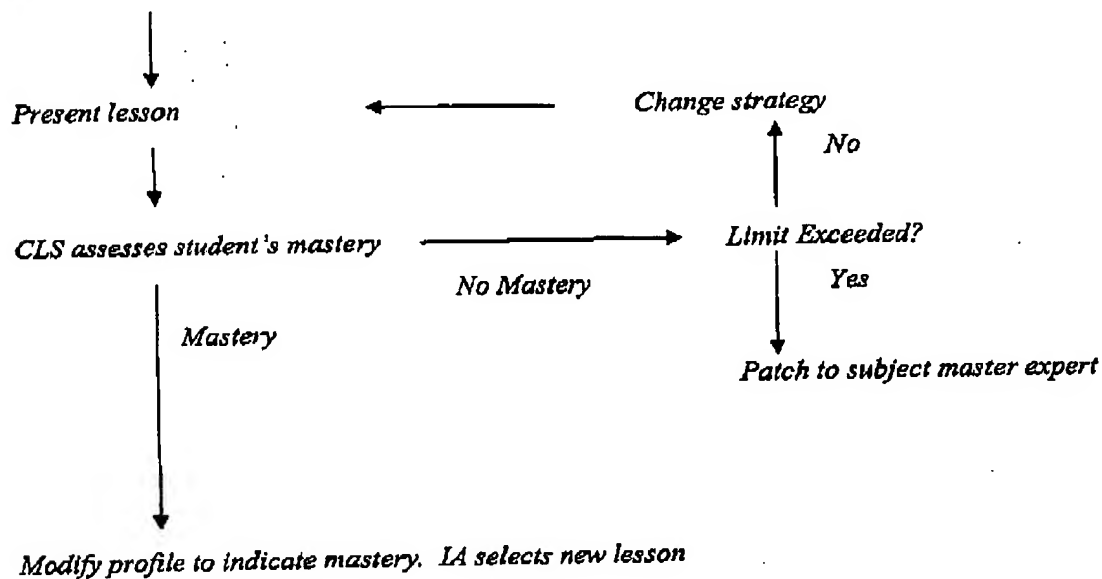
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rules to select lessons, Siefert has not taught or suggested a number of the above limitations in Applicants' claims.

As discussed in its Abstract, in selecting lessons, Siefert may teach the same materials in different ways. One example to show its selection logic is that if "the student has successfully completed 12 of 60 lessons in analytic geometry", "the IA decides that lesson number 13 should be given next." (Col. 9, lines 16-19) After presenting the materials, the "IA then assesses whether the student has mastered the material. If not, the material is presented in a different way. If repeated different presentations fail to instill mastery, the IA establishes a video conference between the student and a professor."

Siefert's logic in selecting a lesson is also illustrated in its Fig. 2, which is reproduced in general terms below:

IA examines student's profile, and selects appropriate lesson and teaching strategy



To determine what to present, Siefert has not taught or suggested at least the following limitations in Applicants' claimed invention:

- (a) determining whether at least two rules have a conflict in view of an assessment of a user,

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- (b) if there is a conflict, resolving the conflict by generating another rule that is added to a group of rules to help determine the additional materials to present to the user in spite of the at least two rules having a conflict in view of an assessment of the user, and
- (c) the at least two rules having a conflict in view of an assessment when a consequence of at least one of the at least two rules differs from the assessment.

For at least the reasons set forth above, Applicants submit that claims 47, 57 and 63 are patentable over Siefert. Claims 48-51, 53, 54, 56, 58, 60, 62, 64, 66, and 68 depend from and add additional features to their corresponding independent claims 47, 57 and 63. Applicants submit that these dependent claims are also patentable over Siefert for at least the reasons discussed above with respect to the independent claims 47, 57 and 63.

Regarding the remaining references cited by the Examiner, since they have not been applied against any of the claims and do not appear properly applicable thereto, no further mention thereof will be made.

Rejoinder of Withdrawn Claims

For efficiency and cost consideration, Applicants sincerely request, upon allowance of the pending claims, the Examiner would kindly rejoin the withdrawn claims and allow the withdrawn claims if the claims from which they depend are allowed.

Conclusion

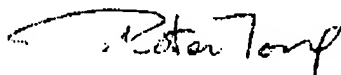
In view of the foregoing, it is respectfully requested that all outstanding objections and rejections be reconsidered and withdrawn. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

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It is believed that no fees are due in connection with the filing of this Amendment. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-0727 (Order No. 170 Cont2).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter P. Tong". The signature is fluid and cursive, with a long vertical line extending downwards from the end of the name.

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